

RECORD OF PROCEEDINGS

CALL TO ORDER	A regular meeting of the Council Bluffs City Council was called to order by Mayor Tom Hanafan at 7:00 p.m. on Monday, January 14, 2008.
ATTENDANCE	Present: Councilmembers Darren Bates, Lynne Branigan, Matt Schultz, Matt Walsh. Mayor Tom Hanafan Absent: Scott Belt Staff Present: City Attorney Richard Wade, City Clerk Judith Ridgeley.
CONSENT AGENDA	Walsh and Branigan moved and seconded approval of the Consent Agenda as read. Unanimous.
PUBLIC HEARINGS Resolution 2008-03	Held public hearing regarding Resolution 2008-03, granting final plat approval for Hy-Vee at West Broadway Subdivision. Schultz and Branigan moved and seconded approval of Resolution 2008-03. Unanimous
Resolution 2008-04	Held public hearing regarding Resolution 2008-04, granting final plat approval for a 21-lot subdivision to be known as Gethsemane Gardens. Bates and Walsh moved and seconded approval of Resolution 2008-04. Unanimous
ORDINANCES ON SECOND READING Ordinance 5959	Walsh and Branigan moved and seconded approval of Ordinance 5959, amending the Municipal Code, Section 1.40.040. Unanimous Walsh and Bates moved and seconded to waive third reading of Ordinance 5959. Unanimous.
ORDINANCES ON FIRST READING Ordinance 5960	Walsh and Bates moved and seconded the introduction of Ordinance 5960, amending Chapter 9.12 of the Municipal Code. VOICE VOTE: 2 Aye (Bates, Walsh) 2 Nay (Branigan, Schultz) 1 Absent (Belt) Motion failed
Ordinance 5961	Walsh and Bates moved and seconded the introduction of Ordinance 5961, amending the zoning map by changing the district designation of property located between Avenue A and Avenue B from North 28 th Street to North 29 th Street from its present designation of R-2 and R-3 to A-2/Parks, estates and agricultural, and setting public hearing for January 28, 2008 at 7:00 p.m. Unanimous
Ordinance 5962	Branigan and Bates moved and seconded the introduction of Ordinance 5962, amending the zoning map by changing the district designation of property located on the south side of Avenue A between North 28 th and North 29 th Streets from its present designation of C-2 to R-3/Low Density multi-family residential and setting public hearing for January 28, 2008 at 7:00 p.m. Unanimous
Ordinance 5963	Bates and Branigan moved and seconded the introduction of Ordinance 5963, amending Chapter 15.24 of the Municipal Code and setting public hearing for January 28, 2008 at 7:00 p.m. Unanimous
Ordinance 5964	Branigan and Bates moved and seconded the introduction of Ordinance 5964, repealing Chapter 2.06 of the Municipal Code in its entirety. Unanimous

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Ordinance 5965	Branigan and Bates moved and seconded introduction of Ordinance 5965, amending Chapter 1.68 of the Municipal Code. Unanimous
Ordinance 5966	Branigan and Walsh moved and seconded introduction of Ordinance 5966, amending Chapter 4.50 of the Municipal Code. Unanimous
Ordinance 5967	Walsh and Bates moved and seconded the introduction of Ordinance 5967, amending Chapter 16.04 of the Municipal Code by amending Section 16.04.040. Schultz amended the motion to require that registered electors in Pottawattamie County who own property in Council Bluffs be eligible for appointment to the Historic Preservation Commission. Walsh seconded the amendment. VOICE VOTE ON AMENDMENT: Unanimous VOICE VOTE ON MAIN MOTION: Unanimous
RESOLUTIONS Resolution 07-346	Branigan and Walsh moved and seconded approval of Resolution 2007-346, authorizing City officials to endorse financial documents on behalf of the City. Unanimous
Resolution 07-458	Bates and Walsh moved and seconded approval of Resolution 2007-458, authorizing the Mayor to execute an agreement with Prine LLC to provide concessionaire services for the Dodge Riverside Golf Club and the Council Bluffs Recreational Complex. Schultz amended the motion to require a Request for Proposal to be sent within one week, and adopt the agreement to require payment of 6% of the gross for the life of the contract. The amendment failed due to lack of a second. Walsh moved to amend the motion to require the payment of 6% of gross be retroactive; require the difference in the amount owned the City be brought current; to enter into a 4 year contract with Prine LLC, and as tenants; and to have payments made by the 16 th of each month to the City Treasurer. Branigan seconded the motion. VOICE VOTE ON AMENDMENT: 3 Aye, 1 Nay (Schultz), 1 Absent (Belt) VOICE VOTE ON MAIN MOTION: 3 Aye, 1 Nay (Schultz), 1 Absent (Belt)
Resolution 07-459	Branigan moved to continue Resolution 07-459 until the regular meeting of January 28, 2008 at 7:00 p.m. to resolve unanswered questions. Bates seconded the motion. Unanimous
Resolution 08-05	Branigan and Bates moved and seconded approval of Resolution 08-05, adopting a planned commercial development plan for Lot 4, Bluffs Vision Subdivision Replat 1, to construct a restaurant west of South 29 th Street between 23 rd and 24 th Avenues. ROLL CALL VOTE: 3 Aye, 1 Abstain (Walsh), 1 Absent (Belt)
Resolution 08-06	Bates and Walsh moved and seconded approval of Resolution 08-06, authorizing the Mayor to execute a real estate contract to acquire a 2.27 acre parcel in the 100 block of South 34 th Street as part of the West Broadway Urban Renewal Area Project. Unanimous
Resolution 08-07	Walsh and Branigan moved and seconded approval of Resolution

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08-07, authorizing the Mayor and City Clerk to execute an agreement with Insituform Technologies for the First Stage Trickling Filter No. 2 42" influent pipe lining. Unanimous.

Resolution 08-08

Branigan and Bates moved and seconded approval of Resolution 08-08, agreement with the Council Bluffs Water Works for water main extension on 10th Avenue in connection with the Public Works Fleet Maintenance Facility. Unanimous.

Resolution 08-09

Branigan and Bates moved and seconded approval of Resolution 08-09, accepting the work of Peterson Contractors, and to authorize the Interim Finance Director to issue a City check in the amount of \$28,345.66. Unanimous

Resolution 08-10

Walsh and Bates moved and seconded approval of Resolution 08-10, Memorandum of Understanding among FHWA, IDOT, Pottawattamie County and the City of Council Bluffs in connection with the environmental impact statement for the East Beltway Project. Unanimous

Resolution 08-11

Branigan and Bates moved and seconded approval of Resolution 08-11, Change Order #2 for the Metro Crossing Sewer Extension Schedule B. Unanimous

Resolution 08-12

Branigan and Bates moved and seconded approval of Resolution 08-12, accepting the work of Leazenby Construction in connection with Metro Crossing Sewer Extension, Phase I Schedule A and to authorize the Interim Finance Director to issue a City check in the amount of \$26,698.74. Unanimous

Resolution 08-13

Branigan and Bates moved and seconded approval of Resolution 08-13, authorizing the Mayor and City Clerk to execute an agreement with TAB Construction for the Stormwater Management, Big Lake Bridge. Unanimous

Resolution 08-14

Branigan and Bates moved and seconded approval of Resolution 08-14, Change Order #2 for the Valley View Drive Extension, Project No. 1, adding \$17,604.18 to the original contract amount. Unanimous

Resolution 08-15

Branigan and Schultz moved and seconded approval of a three-year labor contract between the City of Council Bluffs and the Fraternal Order of Police, Lodge #1, Resolution 08-15. Unanimous

Resolution 08-16

Walsh and Bates moved and seconded approval of Resolution 08-16, authorizing the Mayor to execute an Order Accepting the Acknowledgement/Settlement Agreement from Gas-Mart USA, dba Eddy's 503 for a violation of Iowa Code Section 453A.2(1) Unanimous

MAYOR APPOINTMENTS

Branigan and Walsh moved and seconded to concur with the Mayor's appointments as listed, and to add Alissa Roth to the Historical Preservation Commission. Unanimous

RECEIVE AND FILE ITEMS

Walsh and Branigan moved and seconded to receive and file the following:

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- A. Cash Balance Statement, November 30, 2007
 - B. List of Bills, November 30, 2007
 - C. Five Notice of Claim/Loss
 - D. One application for renewal of rubble dump license
 - E. Two applications for renewal of storage yard license
 - F. Seven applications for renewal of salvage yard license
- Unanimous

CITIZEN'S LETTERS

Received letter Friends of Lake Manawa

APPLICATIONS FOR PERMITS OR CANCELLATIONS

Walsh and Bates moved and seconded approval of the following applications for renewal of liquor license: Andrews Lounge; Red Onion restaurant; Lightening Bowl; Hampton Inn at Ameristar. Unanimous

CITIZENS REQUEST TO BE HEARD

Mr. John LaBounty, 109 Pearl Street, expressed his support for Resolution 2008-01.

ADJOURNMENT

There being no further business to come before City Council, Walsh and Bates moved and seconded to adjourn at 7:29 p.m. Unanimous

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Thomas P. Hanafan, Mayor

ATTEST:

Judith H. Ridgeley, City Clerk